

DOWE
36018-081902



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***AUGUST 19, 2002
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

The Invocation was delivered by The Reverend Seymore G. Cole, Pastor, Melrose Avenue Seventh Day Adventist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, August 22, 2002, at 7:00 p.m., and Saturday, August 24, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

A RESOLUTION memorializing the late James Edward Taliaferro, Sr., former Mayor of the City of Salem, who passed away on August 3, 2002.

Adopted Resolution No. 36018-081902. (7-0.)

File #367

A RESOLUTION memorializing the late Alfred N. (Hoot) Gibson, former City Auditor, who passed away on Thursday, August 1, 2002.

Adopted Resolution No. 36019-081902. (7-0.)

File #367

Proclamation declaring Friday, August 30, 2002, as Hokie Pride Day.

File #80-467

Presentation by Virginia Amateur Sports, Inc., with regard to the 2002 Commonwealth Games of Virginia. Pete Lampman, President.

File #334-388

3. CONSENT AGENDA

(APPROVED 7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the Organizational Meeting and the Regular Meeting of the Council of the City of Roanoke held on Monday, July 1, 2002.

RECOMMENDED ACTION: Dispense with the reading thereof and approve the minutes as recorded.

- C-2 Minutes of the Audit Committee meeting held on Monday, August 5, 2002.

RECOMMENDED ACTION: Receive and file.
File #110-300

- C-3 Annual report of the Audit Committee for the period ended June 30, 2002.

RECOMMENDED ACTION: Receive and file.
File #109-110-300

- C-4 Annual report of the Municipal Auditor for the period ended June 30, 2002.

RECOMMENDED ACTION: Receive and file.
File #109-280

- C-5 Qualification of Diana B. Sheppard as a Member of the Board of Zoning Appeals for a term ending December 31, 2005.

RECOMMENDED ACTION: Receive and file.
File #15-51-110

REGULAR AGENDA

Appointment of F. B. Webster Day as a Trustee to the Roanoke City School Board to fill the unexpired term of Sherman P. Lea, resigned, ending June 30, 2003.
File #110-467

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. A communication from the Honorable Donald S. Caldwell, Commonwealth's Attorney, with regard to a briefing on the Cost Collection Department for fiscal year 2001-02.

**Received and filed.
File #60-133**

- b. A communication from the Honorable Donald M. Caldwell, Commonwealth's Attorney, in connection with a Victim/Witness Assistance Grant; and a communication from the City Manager concurring in the recommendation.

**Adopted Budget Ordinance No. 36020-081902 and Resolution No. 36021-081902. (7-0.)
File #60-133-236-502**

- c. A communication from the Honorable Donald M. Caldwell, Commonwealth's Attorney, in connection with a Drug Prosecutor grant; and a communication from the City Manager concurring in the recommendation.

**Adopted Budget Ordinance No. 36022-081902 and Resolution No. 36023-081902. (7-0.)
File #76-60-133-236**

- d. A communication from the Honorable Donald M. Caldwell, Commonwealth's Attorney, in connection with Asset Forfeiture; and a communication from the City Manager concurring in the recommendation.

**Adopted Budget Ordinance No. 36024-081902. (7-0.)
File #60-133**

- e. A communication from F. B. Webster Day, Attorney, representing the Industrial Development Authority of Botetourt County, requesting adoption of a measure approving issuance of bonds by the Industrial Development Authority of Botetourt County, Virginia, for the benefit of the Roanoke Valley Society for the Prevention of Cruelty to Animals, Inc., and Animal Care Services, Inc., in the amount of \$3.6 million to assist in financing of a regional animal pound facility.

Adopted Resolution No. 36025-081902. (7-0.)
File #53-54

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS:

- 1. Briefing with regard to PC Navigators. (15 minutes)

Received and filed.
File #323

ITEMS RECOMMENDED FOR ACTION:

- 2. A communication with regard to contract award to KCI Technologies, Inc., for project administration/inspection services and limited project management services for Roanoke Civic Center expansion and renovation, Phases I and II.

Adopted Resolution No. 36026-081902. (7-0.)
File #192

3. A communication recommending acceptance of the bid of Aaron J. Conner, General Contractor, Inc., in the amount of \$186,860.00, for Airport Road Storm Drain Extension; and appropriation of funds.

Adopted Budget Ordinance No. 36027-081902 and Ordinance No. 36028-081902. (7-0.)
File #9-27-60

4. A communication recommending acceptance of the bid of Verizon Select Services, Inc., in the amount of \$1,258,004.00, for telephone system solutions to replace the current City centrex service.

Adopted Budget Ordinance No. 36029-081902 and Ordinance No. 36030-081902. (7-0.)

Council Member Bestpitch suggested that the issue of cost savings relative to telephone systems be discussed at a joint meeting of Council and the School Board on Monday, September 16, 2002 at 5:00 p.m.
File #60-291-383-467

5. A communication in connection with funding for the Fifth District Employment and Training Consortium, Economic and Employment Improvement Program for Disadvantaged Persons; and appropriation of funds.

Adopted Budget Ordinance No. 36031-081902. (7-0.)
File #60-246

6. A communication recommending that the City Manager be authorized to enter into a contract with U. S. Cellular for use of "HELP" and "CALL" program cell phones and service, for a period of one year.

Adopted Resolution No. 36032-081902. (7-0.)
File #291-383

7. A communication with regard to the Federally Forfeited Property Sharing Program and appropriation of funds.

**Adopted Budget Ordinance No. 36033-081902. (7-0.)
File #5-60**

8. A communication in connection with funding for emergency water purchases, drought management and infrastructure improvements; and appropriation of funds.

**Adopted Budget Ordinance No. 36034-081902. (7-0.)
File #60-468**

9. A communication with regard to wet weather improvements at the Water Pollution Control Plant.

**Adopted Budget Ordinance No. 36035-081902 and Resolution
Nos. 36036-081902 and 36037-081902. (7-0.)
File #60-468**

b. CITY ATTORNEY:

1. A report with regard to delinquent real estate taxes.

**Adopted Ordinance No. 36038-081902. (7-0.)
File #79-140**

7. REPORTS OF COMMITTEES:

- a. A report from the Roanoke City School Board requesting appropriation of \$125,000.00 for the Title I Even Start Family Literacy Grant; and a report of the Director of Finance recommending that Council concur in the request.

**Adopted Budget Ordinance No. 36039-081902. (7-0.)
File #60-236-467**

**Council Members Wyatt and Dowe requested that the City Manager discuss further training for participants of the program with the School Superintendent, leading to entry into the job market.
File #236-467**

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. A Resolution canceling the work session meeting of City Council scheduled to be held at 12:15 p.m., on September 30, 2002, and changing the date of the regular meeting of City Council scheduled to be held at 12:15 p.m. and 2:00 p.m., on Tuesday, October 1, 2002, to 12:15 p.m. and 2:00 p.m., on Thursday, October 3, 2002.

**Adopted Resolution No. 36040-081902. (7-0.)
File #110-132**

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Council Member Wyatt called attention to a telephone call from a business owner on Trinkle Avenue, N. E., commending the City of Roanoke on measures which have been implemented to address cruising on Williamson Road.
File #5-20**

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., expressed concern with regard to mosquitos and the West Nile virus that has been reported in a number of dead birds in the Roanoke area. She also expressed specific concern for residents of Lincoln Terrace who do not have screen doors on their housing units.

File #22-178

Ms. Helen E. Davis, 35 Patton Avenue, N. E., requested that Council review the plan to close fire stations in the predominantly black community, which could have serious implications for those neighborhoods. She spoke in support of City employees who work diligently for the citizens of the City of Roanoke.

File #70-184

12. CITY MANAGER COMMENTS:

The City Manager advised that Dr. Molly L. O'Dell, Director, Health Department, has maintained contact with the City with regard to the West Nile virus, and certain preventative measures that can be taken by citizens to protect themselves.

File #22

The City Manager advised that the revenue shortfall at the State level is more than was projected, exceeding \$1.4 billion. She stated that further reductions at the State level will occur, some of which will have a ripple effect on localities.

File #60

The City Manager pointed out that the Governor's Office may intervene in the Commonwealth of Virginia's situation as it relates to drought conditions throughout the State.

File #468

The City Manager advised of increased signage and shuttle buses that will be available on Tuesday, August 20, 2002, and Friday, September 6, 2002, to address large volumes of traffic in connection with concerts at the Roanoke Civic Center, which measures are intended to better serve patrons of the two events.

File #192-514

AT 3:35 P.M., THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL 5:00 P.M., FOR A JOINT MEETING OF COUNCIL AND THE CITY PLANNING COMMISSION, ROOM 159.



***CITY COUNCIL/CITY PLANNING COMMISSION
JOINT MEETING***

5:00 P.M.

***EMERGENCY OPERATIONS CENTER
CONFERENCE ROOM***

AGENDA

1. Call to Order.
2. Roll Call by the City Planning Commission.
3. Welcome. Mayor Smith.
4. Invocation/Dinner.
5. The Comprehensive Plan as the City of Roanoke's "Guiding Light".
(20 minutes)
6. Undergrounding of utilities as a part of major street rebuilding projects.
(10 minutes)
7. Development/Update of the Greenway/Pedestrian Plan for the City of Roanoke. (10 minutes)

8. Review of the currently proposed flood reduction project for the Roanoke River and ensuring consistency with the environmental and aesthetic policies contained in the Comprehensive Plan. (10 minutes)
9. Discussion with regard to Street/Alley Closure Process and Policy. (15 minutes)
10. City Planning Commission coordination with City Council appointed/initiated special study commissions or ad hoc task forces and committees. (10 minutes)
11. Other Business.

AT 6:40 P.M., THE CITY COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT 7:00 P.M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., CITY OF ROANOKE.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***AUGUST 19, 2002
7:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

Call to Order -- Roll Call. (Council Member Bestpitch arrived late.)

The Invocation was delivered by Mayor Ralph K. Smith.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

Welcome. Mayor Smith.

NOTICE:

Tonight's meeting will be televised by RVTN Channel 3 to be replayed on Thursday, August 22, 2002, at 7:00 p.m., and Saturday, August 24, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

A. PUBLIC HEARINGS:

1. Public hearing to receive the views of citizens regarding appointment of a School Board Trustee to fill the unexpired term of William E. Skeen, resigned, ending June 30, 2005. Applicants are:

Edna Crabbere
David M. Dabay
John W. Elliott, Jr.
Lewis P. Grogan
William H. Lindsey
Michael W. Ridenhour

No speakers.

File #110-467

2. Public hearing on the request of Valley Pine Mortgage, Inc., that a tract of land described as a 0.010 acre portion of Lot 1, Block 7, Mountainview, Official Tax No. 1221013; and a 0.204 acre portion of Lots 11 and 12, Block 7, Mountainview, Official Tax No. 1221014, located on Virginia Avenue, S. W., be rezoned from RM-2, Residential Multifamily, Medium Density District, to LM, Light Manufacturing District. Stephen W. Lemon, Attorney.

Adopted Ordinance No. 36041-081902. (6-0, Council Member Bestpitch had not arrived when the role was recorded.)

File #51

3. Public hearing on the request of Valley Pine Mortgage, Inc., that a portion of Virginia Avenue, S. W., from 13th Street, to Spottswood Avenue, S. W.; an alley lying between parcels bearing Official Tax Nos. 1221013 and 1221014; and an alley lying between parcels bearing Official Tax Nos. 1221203 and 1221207, be permanently abandoned, vacated, discontinued and closed, to the extent that the City of Roanoke has any legal interest in said public right-of-way. Stephen W. Lemon, Attorney.

Adopted Ordinance No. 36042-081902. (7-0.)

File #514

4. Public hearing with regard to rezoning a tract of land containing 1.34 acre, consisting of five tracts of land described as Official Tax No. 1113305, 505 Sixth Street, S. W., Official Tax No. 1113501, 0 Luck Avenue, S. W., Official Tax No. 1113502, 0 Luck Avenue, S. W., Official Tax No. 1113312, 0 Marshall Avenue, S. W., and a portion of Official Tax No. 1113313, 0 Marshall Avenue, S. W., from LM, Light Manufacturing District, and C-1, Office District, to C-3, Central Business District. Worth H. Boone, Jr., Spokesperson.

Adopted Ordinance No. 36043-081902. (7-0.)
File #51

5. Public hearing on the request of Cesar Dominguez to repeal and replace proffered conditions relating to property located at 325 Jefferson Street, N. E., Official Tax No. 3012801. Cesar Dominguez, Spokesperson.

Adopted Ordinance No. 36044-081902. (7-0.)
File #51

6. Public hearing on the request of Cape Town, L.C., and Steven W. Morris that two tracts of land located on the southwest side of Roberts Road, S. W., Official Tax Nos. 1290211 and 1290212, be rezoned from RS-3, Residential Single Family District, to C-1, Office District, subject to certain conditions. Daniel F. Layman, Jr., Attorney.

Adopted Ordinance No. 36045-081902. (7-0.)
File #51

7. Public hearing on the request of Franklin Road, L.L.C., that a 0.717 acre portion, more or less, of excess right-of-way of Franklin Road that adjoins Official Tax No. 1300101, be permanently abandoned, vacated, discontinued and closed, to the extent that the City of Roanoke has any legal interest in said public right-of-way. Steven S. Strauss, Manager, Structures Design/Build, L.L.C., Spokesperson.

Denied.
File #514

8. Public hearing with regard to consideration by the City of Roanoke of awarding a Lease and/or Agreement between the City of Roanoke and Warehouse Row, L.P., to provide that Warehouse Row will lease, renovate and equip City-owned buildings located at 117 and 119 Norfolk Avenue, S. W., for a lease term up to 40 years, upon certain terms and conditions; and to consider the possible lease of all or part of City-owned property located at 117-123 Salem Avenue, S. W., Official Tax Nos. 1010409 - 1010411, inclusive, to Warehouse Row for use as parking spaces in connection with the abovementioned lease of buildings, the initial term of lease of such property for parking spaces will be for a period of up to five years. Darlene L. Burcham, City Manager; and William M. Hackworth, City Attorney, Spokespersons.

Adopted Ordinance No. 36046-081902. (7-0.)
File #166-207-373-553

9. Public hearing on a proposal of the City of Roanoke to vacate a portion of a sanitary sewer easement located on Gum Spring Street, S. E., that is encroaching on property identified as Official Tax No. 4200901. Darlene L. Burcham, City Manager, Spokesperson.

Adopted Ordinance No. 36047-081902. (7-0.)
File #27-166

10. Public hearing on a proposal of the City of Roanoke to lease a portion of the City owned Washington Heights Water Tank site, located in the 4100 block of Wyoming Avenue, to Cellco Partnership, a Delaware general partnership, d/b/a Verizon Wireless, for the purpose of installing antennas and related equipment thereon to provide radio and wireless telecommunications services. Darlene L. Burcham, City Manager, Spokesperson.

Adopted Ordinance No. 36048-081902. (7-0.)
File #166-383-468

11. Public hearing on a proposal of the City of Roanoke to vacate an existing water line easement located on privately owned property in exchange for a relocated easement to be dedicated to the City of Roanoke; and thereafter, the City of Roanoke proposes to quitclaim a portion of the new easement to the Virginia Department of Transportation, in connection with development of Kingston Estates, a new subdivision located in Roanoke County. Darlene L. Burcham, City Manager, Spokesperson.

**The public hearing was continued indefinitely.
File #28-468**

B. HEARING OF CITIZENS UPON PUBLIC MATTERS:

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**Mr. Robert D. Gravely, 617 Hanover Avenue, N. W., advised that Carilion Health System has a monopoly in the City of Roanoke. He addressed the matter of low wages for City employees, fair and equal treatment of City employees on a daily basis and in promotions, the City does not have a large enough work force to maintain the City's cleanliness, young people are moving out of the City because of the way they are treated; and more police officers are needed to address crime.
File #5-66-184-221-304**